

IC20 Rec'd PCT/PTO 3 MAY 2002

Attorney Docket No. F-629 CORK 200 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

William H. Cork, et al.

Serial No.: 10/031,112

Filed: January 11, 2002

Group Art No.: Not yet Assigned

Examiner: Not yet Assigned

For: MEDICAL SYSTEM, METHOD AND
APPARATUS EMPLOYING MEMS

Commissioner for Patents
Box PCT
U.S. Patent & Trademark Office
Washington, D.C. 20231

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NAME Jeannie Rapstad

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Jeannie Rapstad

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1. Copy of Notification of Missing Requirements (2 sheets);
2. Transmittal Letter Form PTO-1390 (in duplicate, 4 sheets total);
3. Declaration for Utility or Design Patent Application (4 sheets total);
4. Certificate of Mailing (1 sheet); and
5. Return Receipt Postcard.

05/10/2002 LLANDGRA 00000039 501039 10031112

01 FC:154 130.00 CH

Name: Jeannie Rapstad

Signed:

Jeannie Rapstad

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,112	William H Cork	F-5629 (CORK 100 US)

INTERNATIONAL APPLICATION NO.

PCT/US01/21188

I.A. FILING DATE

07/03/2001

PRIORITY DATE

07/07/2000

Gary W McFarron
 Cook Alex McFarron Manzo
 Cummings & Mehler
 200 West Adams street, Suite 2850
 Chicago, IL 60606

CONFIRMATION NO. 2485

371 FORMALITIES LETTER



OC000000007733941

Date Mailed: 04/01/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of the International Application
- Request for Immediate Examination

RECEIVED
 APR 06 2002

COOK, ALEX, MCFARRON,
 MANZO, CUMMINGS & MEHLER

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

Bayer

CORK 100

SHAKEEL AHMED

CASE	0360-0017.01
ATTY.	GWM/ALC
DUE DATE	DXT. BY <input checked="" type="checkbox"/>
CALL UP	BY
RESP. SENT	BY
REVIEWED BY ATTY	DATE
OK TO FILE	DATE

Missing Requirements due 6/01/02

Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY ✓

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,112	PCT/US01/21188	F-5629 (CORK 100 US)

FORM PCT/DO/EO/905 (371 Formalities Notice)

ATTORNEY'S DOCKET NUMBER
F-5629 (CORK 100 US)TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (If known, see 37 CFR 1.5
10/03~~4~~,112INTERNATIONAL APPLICATION NO.
PCT/US01/21188INTERNATIONAL FILING DATE
July 3, 2001PRIORITY DATE CLAIMED
July 7, 2000TITLE OF INVENTION
Medical System, Method and Apparatus Employing MEMS

APPLICANT(S) FOR DO/EO/US William H. Cork, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). Declaration Cover Sheet (Pg. 1) was inadvertently omitted from earlier submission of Declaration mailed on January 14, 2002.
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

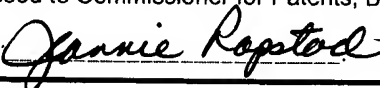
Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: U.S. Post Office Express Mail, Label No. EL 845497539US

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on May 3, 2002, and is addressed to Commissioner for Patents, Box PCT, U.S. Patent & Trademark Office, Washington, D.C. 20231.

Name: Jeannie Rapstad

Signature



U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
10/031,112

INTERNATIONAL APPLICATION NO.
PCT/US01/21188

ATTORNEY'S DOCKET NUMBER
F-5629 (CORK 100 US)

21. ☐ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO **\$1040.00**

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO **\$890.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$740.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☒ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		x \$18.00	\$
Independent claims	- 3 =		x \$84.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$
TOTAL OF ABOVE CALCULATIONS =				\$

\$

\$

\$

\$

\$

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.

\$

+

SUBTOTAL =

\$ 130.00

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$ 130.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

\$

TOTAL FEES ENCLOSED =

\$ 0.00

	Amount to be refunded:	\$
	charged:	\$

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 50/1039 in the amount of \$ \$130.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 50/1039. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Gary W. McFarron, Esq.
Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
200 West Adams Street, Suite 2850
Chicago, IL 60606
USA
Tel.: (312) 236-8500
Fax: (312) 236-8176


SIGNATURE

Gary W. McFarron, Esq.

NAME

27,357

REGISTRATION NUMBER

FORM PTO-1390
(REV. 12-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371ATTORNEY'S DOCKET NUMBER
F-5629 (CORK 100 US)U.S. APPLICATION NO. (If known, see 37 CFR 1.5
Not yet AssignedINTERNATIONAL APPLICATION NO.
PCT/US01/21188INTERNATIONAL FILING DATE
July 3, 2001PRIORITY DATE CLAIMED
July 7, 2000

TITLE OF INVENTION

Medical System, Method and Apparatus Employing MEMS

APPLICANT(S) FOR DO/EO/US

William H. Cork, et al.

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 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
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9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). Declaration was inadvertently omitted from original submission of Form PTO 1390 mailed on January 11, 2002.
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
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Name: Jeannie Rapstad

Signature

Jeannie Rapstad

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ENTER APPROPRIATE BASIC FEE AMOUNT =Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
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MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$

TOTAL OF ABOVE CALCULATIONS =☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
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charged: \$

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Tel.: (312) 236-8500
Fax: (312) 236-8176

SIGNATURE

Gary W. McFarron, Esq.

NAME

27,357

REGISTRATION NUMBER

PTO/PGT Form 14 JAN 2002

Attorney Docket No. F-5629 (CORK 100 US) PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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William H. Cork, et al.

Serial No.: Not yet Assigned

Filed: January 11, 2002

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Examiner: Not yet Assigned

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Name: Jeannie Rapstad

Signed:

Jeannie Rapstad

EL845498004US